

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

DECEMBER 17, 2002

DELEGATION ORDER

MAINE PUBLIC UTILITIES COMMISSION
Investigation of Damage to Underground
Facilities for the Year 2001

DOCKET NO. 2001-091

MAINE PUBLIC UTILITIES COMMISSION
Investigation of Damage to Underground
Facilities for the Year 2002

DOCKET NO. 2002-427

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

By this Order, and pursuant to 35-A M.R.S.A. § 107(4), we hereby delegate certain of our authorities under Commission Rule, Chapter 895 (Underground Facility Damage Prevention Requirements) to the Director of Technical Analysis (the Director). Specifically, we hereby delegate to the Director the authority to dismiss Notices of Probable Violation (NOPVs) and to approve Consent Agreements signed by a respondent to a NOPV or a duly authorized representative of the respondent. These delegations will expedite and improve the effectiveness of our Underground Facility Damage Prevention enforcement processes.

Dated at Augusta, Maine this 17th day of December 2002.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Nugent
Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.